

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 09-11868-GAO

KEVIN MELLO,
Plaintiff,

v.

THOMAS HODGSON, in his capacity as Sheriff of Bristol County and individually,
BRISTOL COUNTY, and UNKNOWN INDIVIDUALS,
Defendant.

ORDER TO SHOW CAUSE
May 12, 2010

O'TOOLE, D.J.

On November 15, 2009, the defendants filed a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). After three extensions of time, the plaintiff chose not to oppose the motion, but instead sought leave to amend his complaint on February 23, 2010. His motion was granted, but no amended complaint has been filed. The clerk called the plaintiff's counsel several times in April and May 2010 to remind him of his filing obligations to no avail.

The plaintiff is therefore ordered to show cause within ten (10) days of this Order as to why the action should not be dismissed for lack of prosecution. See Link v. Wabash R.R. Co., 370 U.S. 626, 631 (1962) (recognizing a court's authority to dismiss *sua sponte* for lack of prosecution).

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
United States District Judge